

Message Text

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INFO OCT-01 AF-06 ARA-10 EUR-12 EA-09 NEA-10 ISO-00 FEA-01

ACDA-10 AGR-10 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00

CIEP-02 COME-00 DLOS-04 DODE-00 DOTE-00 EB-07 EPA-04

ERDA-07 FMC-02 TRSE-00 H-02 INR-07 INT-05 IO-10

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PA-02 PM-04 PRS-01 SP-02 SS-15 USIA-15 /182 R

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FM SECSTATE WASHDC

TO AMEMBASSY MANAGUA

AMEMBASSY MEXICO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY SAN JOSE

AMEMBASSY TOKYO

INFO AMEMBASSY ACCRA

AMEMBASSY BOGOTA

AMCONSUL CASABLANCA

AMEMBASSY COPENHAGEN

AMEMBASSY LIMA

AMEMBASSY MADRID

AMEMBASSY PANAMA

AMEMBASSY QUITO

AMEMBASSY SEOUL

AMEMBASSY TAIPEI

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TAGS: EFIS

SUBJECT: COMMERCE PRESS RELEASE ON TUNA EMBARGO

1. FULL TEXT OF DEPARTMENT OF COMMERCE PRESS RELEASE
ISSUED SEPTEMBER 15 ON USG'S INTENT TO IMPOSE EMBARGO ON
TUNA IMPORTS REPRODUCED BELOW.

2. BEGIN TEXT: ROBERT W. SCHONING, DIRECTOR OF THE
NATIONAL MARINE FISHERIES SERVICE, HAS ANNOUNCED THAT HE
INTENDS TO IMPOSE AN EMBARGO ON IMPORTS OF YELLOWFIN
TUNA FROM NATIONS WHOSE TUNABOATS HAVE TAKEN THEM FROM THE
COMMISSION YELLOWFIN REGULATORY AREA (CYRA) CONTRARY TO
THE CONSERVATION RECOMMENDATIONS OF THE INTER-AMERICAN
TROPICAL TUNA COMMISSION.

3. HE ALSO WARNED THAT IF IATTC MEMBERS DO NOT SET UP AND
IMPLEMENT AN EFFECTIVE ENFORCEMENT REGIME COMPARABLE TO
THAT OF THE UNITED STATES, NMFS WILL TAKE STEPS LEADING
TO MODIFICATION OF U.S. REGULATIONS THAT LIMIT U.S.
TUNABOAT FISHING IN THE AREA. THESE REGULATIONS REMAIN
IN FORCE AT THIS TIME.

4. BEFORE IMPOSING THE EMBARGO, THE COMMERCE DEPARTMENT
AGENCY WILL FOR 15 DAYS SOLICIT ADDITIONAL EVIDENCE THAT
MAY ASSIST THE DIRECTOR OF THE SERVICE TO ARRIVE AT A
FINAL DETERMINATION. A FINAL DETERMINATION WILL BE MADE
WITHIN 30 DAYS OF PUBLICATION OF THIS ANNOUNCEMENT IN THE
SEPTEMBER 11 FEDERAL REGISTER.

5. THE ACTIONS AROSE FOLLOWING A HEARING HELD BY NOAA
AND NMFS OFFICIALS IN SAN DIEGO, CALIFORNIA, ON AUGUST 29.
MEMBERS OF THE U.S. TUNA FLEET AND OTHERS PRESENTED
INFORMATION ON VIOLATIONS OF THE IATTC RECOMMENDATIONS
BY MEMBER NATIONS. EVIDENCE WAS ALSO PRESENTED INDICATING
THAT NON-MEMBER NATIONS ARE ALSO FISHING IN THE CYRA
CONTRARY TO THE COMMISSION'S RECOMMENDATIONS.

6. COMMENTING ON HIS ACTIONS, SCHONING SAID: "WE ARE
EXTREMELY CONCERNED ABOUT THE REPORTS OF FOREIGN FISHING
AND WILL TAKE EVERY ACTION JUSTIFIED AND PERMISSIBLE UNDER
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THE LAW TO REDRESS THE SITUATION. WE ARE CONTACTING ALL
FOREIGN NATIONS -- BOTH MEMBERS AND NON-MEMBERS OF THE
IATTC -- WHOSE BOATS HAVE BEEN FISHING IN THE REGULATED
AREA. SOME HAVE ALREADY BEEN MADE, WITH ENCOURAGING
RESULTS. WE ARE URGING THEM TO ADHERE TO ALL THE RECOM-
MENDATIONS OF THAT INTERNATIONAL BODY AND TO ESTABLISH
EFFECTIVE ENFORCEMENT PROGRAMS.

7. "WE ARE NOT SEEKING SPECIAL CONSIDERATION, JUST EQUAL TREATMENT. WE ARE ASKING OTHER NATIONS TO IMPLEMENT THE CONSERVATION PROGRAM AS RECOMMENDED BY THE COMMISSION AND AS CARRIED OUT BY THE UNITED STATES. WE WANT TUNA FOR THE FUTURE AND ARE ASKING FOR COOPERATION IN THIS MUTUALLY BENEFICIAL GOAL.

8. "THERE ARE THREE BASIC ISSUES AT STAKE IN THIS SITUATION," SAID SCHONING. "FIRST, THE YELLOWFIN STOCK IS BEING OVERFISHED. ROUGH ESTIMATES INDICATE A REDUCED CATCH PER UNIT EFFORT. ANY RELIEF OF THE PROBLEM SHOULD AVOID PUTTING ADDITIONAL FISHING PRESSURE ON THE RESOURCE AT THIS TIME.

9. "SECOND, COMPLIANCE WITH THE CONSERVATION REGIME NEEDS TO BE UNIFORM ON THE PART OF MEMBER AND NON-MEMBER NATIONS. ENFORCEMENT MECHANISMS SHOULD APPLY TO U.S. AND FOREIGN FLAG VESSELS ALIKE. CONSERVATION OF THE RESOURCE REMAINS PARAMOUNT.

10. "AND THIRD, THE U.S. TUNA FISHERMEN SEEK EQUITY IN THE LIGHT OF THE ALLEGED PAST AND PRESENT FOREIGN VIOLATIONS. THEY WANT AN OPPORTUNITY TO TAKE ADDITIONAL YELLOWFIN IN THE CYRA IN A LIMITED BUT SIGNIFICANT AMOUNT AS COMPENSATION OR REDRESS FOR THE COMPETITIVE DISADVANTAGE THE U.S. FLEET IS INCURRING AS A RESULT OF FOREIGN CATCH TAKEN CONTRARY TO THE IATTC RECOMMENDATIONS."

11. THE NATIONAL MARINE FISHERIES SERVICE BELIEVES THAT THE REPORTS IT HAS RECEIVED, INCLUDING THOSE PRESENTED AT THE AUGUST 29 MEETING, CONSTITUTE SUFFICIENT EVIDENCE UNDER U.S. LAW TO IMPOSE THE EMBARGO ON YELLOWFIN TUNA PROPOSED BY SCHONING.

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12. IN THE CASE OF REPEATED AND FLAGRANT VIOLATIONS AN EMBARGO CAN BE ESTABLISHED ON IMPORTS OF CERTAIN OTHER SPECIES OF TUNA AS WELL. U.S. LAW ALSO PROVIDES THAT THE REGULATIONS CAN BE SET ASIDE. EITHER ACTION CAN BE TAKEN IF IT IS FOUND THAT THERE EXISTS A SERIOUS THREAT TO "THE ACHIEVEMENT OF THE OBJECTIVES OF THE COMMISSION'S RECOMMENDATIONS."

13. "HOWEVER," SAID SCHONING, "WHILE WE FEEL THAT THERE IS EVIDENCE OF OVERFISHING, THE CURRENT LEVEL OF FISHING BY FOREIGN VESSELS IN THE CYRA DOES NOT SUPPORT A FINDING THAT THESE FISHING OPERATIONS CONSTITUTE A SERIOUS THREAT THAT THE RECOMMENDATIONS OF THE COMMISSION WILL BE EXCEEDED."

14. HE POINTED OUT THAT THE IATTC RECOMMENDED A QUOTA FOR YELLOWFIN TUNA OF 175,000 TONS FOR 1975, WITH TWO INCREMENTS OF AN ADDITIONAL 10,000 TONS EACH ALLOWABLE AT THE DISCRETION OF THE DIRECTOR OF INVESTIGATIONS OF THE COMMISSION. DATA NOW AVAILABLE TO NMFS INDICATES THAT APPROXIMATELY 8,000 TONS OF YELLOWFIN TUNA HAVE BEEN TAKEN FROM THE CYRA IN 1975 THROUGH AUGUST 15 CONTRARY TO THE COMMISSION'S RECOMMENDATIONS, AND THAT DURING THE REMAINDER OF THE FISHING SEASON THIS MIGHT RISE TO 15,000 TO 20,000 TONS. ON THE BASIS OF THIS INFORMATION, NMFS DOES NOT BELIEVE THAT THE CURRENT CATCH BY ALL NATIONS IN THE CYRA, BOTH CONTRARY TO AND IN CONFORMITY WITH THE IATTC RECOMMENDATIONS, WILL RESULT IN A TOTAL SIGNIFICANTLY ABOVE THE 175,000 TON QUOTA.

15. SCHONING POINTED OUT THAT THE IATTC WILL MEET IN PARIS IN OCTOBER AND THAT THE UNITED STATES IS COMMITTED TO HAVING THE ENFORCEMENT MATTER AS A MAJOR TOPIC FOR DISCUSSION AT THE MEETING. "AS STRONG AS WE FEEL ABOUT EQUITY, WE RECOGNIZE THE IMPORTANCE OF THE IATTC AND OF SOUND MANAGEMENT," SAID SCHONING. "WE DO NOT WANT TO TAKE ANY ACTION AT THIS TIME WHICH WOULD JEOPARDIZE EITHER, UNTIL THE SEVERITY OF THE PROBLEM IS DISCUSSED WITH OTHER NATIONS."

16. MEMBER NATIONS OF THE IATTC ARE CANADA, COSTA RICA,
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FRANCE, JAPAN, MEXICO, NICARAGUA, PANAMA, AND THE UNITED STATES. END TEXT. KISSINGER

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